

ORDINANCE NO. 10-02-006

AN ORDINANCE TO AMEND TITLE 17 CHAPTER 17.04 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES ENTITLED "ZONING CODE ADOPTED;" TO AMEND CHAPTER 17.04 BY AMENDING SECTION 17.04.060 ENTITLED "MULTI-FAMILY RESIDENCE DISTRICT" TO PROVIDE FOR ADDITIONAL DEFINITIONS AND PROVISIONS FOR AMENITIES FOR ACTIVE ADULT RESIDENTIAL MULTIFAMILY APARTMENTS; TO PROVIDE FOR ALTERNATIVE PARKING AND PARKING GARAGE STANDARDS FOR ACTIVE ADULT RESIDENTIAL MULTIFAMILY DEVELOPMENT; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION I. Chapter 17.04 of the Code of Ordinances of the City of Locust Grove is hereby amended by amending Section 17.04.060 (B) entitled "Definitions" to add the following:

Active Adult Residential Multifamily Development means multiple family housing units designed for adults fifty-five (55) and older in accordance with the Fair Housing Act that do not include or provide any type of supportive services such as medical care, food preparation or other services normally a course of business for an assisted living facility and/or a personal care home.

Fair Housing Act means Section 800 [42 USC 3601] through Section 901 [42 USC 3631] of United States Code, more particularly Section 807 [42 USC 3607] pertaining to "housing for older persons", as may be amended.

SECTION II. Chapter 17.04 of the Code of Ordinances of the City of Locust Grove is hereby amended by amending Section 17.04.060 (D)(5) entitled "Development Standards" to add the following to subsection "n." entitled "Parking":

Special Provision for Active Adult Residential Multifamily Development. An active adult residential multifamily development shall have a minimum of one parking space per unit and an additional ten percent per number total units or fraction thereof where all multifamily units are located within a single structure via an interior corridor and which an elevator is provided for access throughout the structure.

SECTION III. Chapter 17.04 of the Code of Ordinances of the City of Locust Grove is hereby amended by amending Section 17.04.060 (D)(5) entitled "Development Standards" to add the following to subsection "o." entitled "Residential parking garage":

Special Provision for Active Adult Residential Multifamily Development. No residential parking garages shall be required for an active adult residential multifamily development where all multifamily units are located within a single structure via an interior corridor and which an elevator is provided for access throughout the structure.

SECTION IV. Chapter 17.04 of the Code of Ordinances of the City of Locust Grove is hereby amended by amending Section 17.04.060 (D)(6) entitled "Amenities" to add the following:

d. Alternative Amenities for an Active Adult Residential Multifamily Development. A multifamily development constructed for occupancy for those adults fifty-five (55) years and older in accordance with the Fair Housing Act shall provide amenities in areas centrally located to all residential units where feasible and will be required to design such feature for those residents age 55 and older. Amenities shall be approved by the mayor and city council during site plan approval and shall incorporate at a minimum the following three (3) amenities:

- i. Clubhouse and/or community room with a minimum of 1,200 square feet of heated space and exterior covered porch is strongly encouraged and should be centrally located to the main building(s). Activities such as Arts and Crafts are strongly encouraged for use in such facility.
- ii. Pocket park of no more than a quarter-acre in size where activities such as lawn bowling or croquet may occur in addition to passive seating areas. A covered pavilion with picnic/barbeque facilities is strongly encouraged to provide cover from the elements while in the park.
- iii. Walking trail or pathway - at least 1,320 lineal feet, four feet (4') in width.

- iv. Elevator for access to upper floors that are three (3) stories in height or greater or where topography does not permit ground-level entry.

To achieve a density greater than four (4) units per net acre, the following additional amenities may be used in lieu of those noted in (6) (a) subject to approval by City Council:

- v. A junior Olympic-sized swimming pool
- vi. Resistance swimming area of a minimum of 200 square feet.
- vii. Tennis Courts - one lighted and fenced facility featuring a minimum of two (2) playing courts.
- viii. Fenced Community Garden area not to exceed one-quarter of an acre.
- ix. Furnished and equipped library with computer center that incorporates broadband Internet service. May be added to the clubhouse/community room with an additional 250 square feet of space.
- x. Shuffleboard Court of regulation size.
- xi. Movie Theatre featuring a minimum of a 46-inch (diagonal) screen television or projection system, a minimum of ten (10) seats, and sound/media player featuring DVD, BluRay, or new Internet-delivered technologies such as On Demand, NetFlix, etc..
- xii. Furnished and equipped Wellness/Fitness Center.
- xiii. Beauty Parlor with a minimum of two (2) chairs.
- xiv. Fishing Pond of at least a quarter acre in size, with walking trails and dock and benches along trail.
- xv. Golf putting green of regulation size.
- xvi. Upper story interior gathering areas in elevator lobbies or central corridors of a minimum of 250 square feet of space that are furnished.
- xvii. Other - any other amenity similar in nature and size to those listed above that is approved by the City Council at the time of zoning or site plan review.

Section V. Severability

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Section VI. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

Section VII.

- A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.
- B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section paragraph, sentence, clause or phrase of this Ordinance.
- C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law,

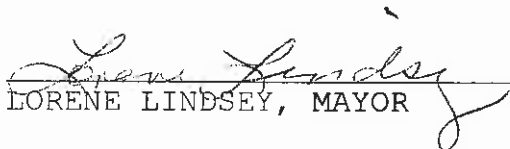
Adopted Version February 1, 2010

all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section VIII. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section IX. Effective Date. This ordinance shall become effective immediately upon/of its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this 1st day of February, 2010.


LORENE LINDSEY, MAYOR

ATTEST:


THERESA BREEDLOVE, City Clerk
(Seal)